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***Integrity - Service - Excellence***

# **Prepare RFP Training Briefing**

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**Date: 1/26/2007**

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# OVERVIEW



- References
- General Request for Proposal (RFP) information
- Considerations
- Response Time
- Solicitation Forms and Notification
- Amending and Cancelling an RFP
- Conclusion



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# QUESTION



- WHAT IS: RFP ???
- Request for Proposal



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# REFERENCES

- 15.203 -- Requests for Proposals.
- Requests for proposals (RFPs) are used in negotiated acquisitions to communicate Government requirements to prospective contractors and to solicit proposals.
- RFPs for competitive acquisitions shall, at a minimum, describe the
  - (1) Government's requirement;
  - (2) Anticipated terms and conditions that will apply to the contract;
  - (3) Information required to be in the offeror's proposal; and
  - (4) Factors and significant sub factors that will be used to evaluate the proposal and their relative importance.



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# GENERAL RFP INFORMATION



- FAR 15.203 (a) sets forth the functions of RFPs and prescribes their minimum content
- Clarity and completeness of the RFP are key elements
- RFPs are written to permit all offerors to compete on an equal basis



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# CONSIDERATIONS



- FAR and Sups references
- Purchase Request
- Transmittal Letter
  - Attachments
  - Statement of Work/Performance Work Statement
- DD 2579 SB Coordination
- D&F's (Warranty, Options, etc...)
- Acquisition Planning
  - Milestones
- Notification to Public
  - Separate Synopsis and Solicitation
  - Combined Synopsis/Solicitation



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# RESPONSE TIME



- Establish a closing date and time
  - Allow offerors a reasonable opportunity to respond
  - Commercial item solicitations may be as few as 15 days
  - Construction 30 days or more depending on complexity
  - Consider :
    - Degree of urgency
    - Complexity of requirement
    - Anticipated extent of subcontracting
    - Whether use was made of presolicitation notices



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# SOLICITATION FORMS, AND NOTIFICATION



- Select the form appropriate for the acquisition
  - SF 33 (request for proposal: services and commodities)
  - SF 1442 (construction)
  - SF 1449 (commercial items)





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# CONTRACT FORMAT



## Non Commercial

### ■ Section B - Contract Line Items

- Gives offerors a summary description of the contract requirements and a place for submitting their proposed prices

### ■ Section C - Specifications

- Gives a detailed description of the work to be performed (i.e. SOW, PWS)

### ■ Section D - Packaging and Marking

- Contains packaging, packing, preservation, and marking instructions and provisions



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# CONTRACT FORMAT



- Section E - Inspection and Acceptance
  - Should contain special clauses that will be used in inspecting and accepting the work
- Section F - Time and Place of Performance
  - Essential contract element that must be clearly stated
  - Include winter exclusion information in this section
- Section G - Contract Administration Data
  - Accounting and appropriation data
  - Delegated contract administration rights to a CAO
- Section H - Special Contract Requirements



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# CONTRACT FORMAT



- **Section I - Clauses**
  - Correctly identify and incorporate all FAR clauses required for the procurement
  - Select optional and local clauses that optimize the expected outcome of the acquisition
  - Determine which clauses must be referenced and which must appear in full text
- **Section J - List of Attachments**
  - List of attachments and exhibits (can include revisions to listed documents by version and/or date of revision)
- **Section K - Certifications and Representations**
  - Numerous solicitation provisions calling for certifications or representations by the offeror
  - Section K is removed for contract award



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# CONTRACT FORMAT



- Section L - Instructions to Offerors
  - Includes provisions giving detailed guidance as to the relevant information that must be submitted in order to permit the government to evaluate the factors and sub factors included in Section M
  - Section L is removed for contract award
- Section M - Evaluation
  - Evaluation scheme must be identified (i.e. lowest-price, technically acceptable or tradeoff)
  - Evaluation factors and sub factors to be used and their relative importance
  - Section M is removed for contract award



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# CONTRACT FORMAT



## Commercial: FAR Part 12

### **FAR 12.303**

- (a) Standard Form (SF) 1449;
- (b) Continuation of any block from SF 1449, such as --
  - (1) Block 10 if a price evaluation adjustment for small disadvantaged business concerns is applicable (the contracting officer shall indicate the percentage(s) and applicable line item(s)), if an incentive subcontracting clause is used (the contracting officer shall indicate the applicable percentage), or if set-aside for emerging small businesses



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# CONTRACT FORMAT



- (2) Block 18B for remittance address;
- (3) Block 19 for contract line item numbers;
- (4) Block 20 for schedule of supplies/services; or
- (5) Block 25 for accounting data;
- (c) **Contract clauses --**
- (1) 52.212-4, Contract Terms and Conditions -- Commercial Items, by reference (see SF 1449 block 27a);
- (2) Any addendum to 52.212-4; and



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- (3) 52.212-5, Contract Terms and Conditions Required to Implement Statutes and Executive orders;
  - **52.212-5 (Deviation) (Use this rather than original, see NOTES)**
  - NOTE: “[Class Deviation- 2001-O0002, Commercial Item Omnibus Clauses for Acquisitions Using the Standard Procurement System. This clause deviation is effective on May 1, 2004, and remains in effect until April 20, 2009, or until other wise rescinded. (2004-o0002)]”
  - NOTE: But, all clauses that needed to be selected from 52.212-5 will have to be manually selected when using 52.212-5(Deviation)



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# CONTRACT FORMAT



- (d) Any contract documents, exhibits or attachments; and
- (e) Solicitation provisions --
- (1) 52.212-1, Instructions to Offerors -- Commercial Items, by reference (see SF 1449, Block 27a);
- (2) Any addendum to 52.212-1;
- (3) 52.212-2, Evaluation -- Commercial Items, or other description of evaluation factors for award, if used; and
- (4) 52.212-3, Offeror Representations and Certifications -- Commercial Items.





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# Amending and Canceling an RFP



- RFP can be amended BEFORE or AFTER receipt of proposals if --
  - Govt changes its requirements or terms and conditions
- If amended before receipt of proposals
  - Issue to all parties receiving proposals (In FedBizOps)
- If amended after receipt of proposals
  - Issue to all offerors that have not been eliminated from the competition



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# Amending and Canceling an RFP Cont'd

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- If a proposal of interest to Govt involves a departure from stated requirements
  - Issue amendment if it can be done w/o revealing alternate solution proposed
- Oral notices of amendments may be used where “time is of the essence”. [FAR 15.206(f)]
- Time extensions to RFP closing date should be considered if issuing amendment close to the proposal submission date.



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# Canceling an RFP

- May cancel RFP after submission of proposals but before award when --
  - Govt's needs change to an extent not contemplated at time of original solicitation
  - Requirement no longer exists
  - Defective spec was included which seriously affects the procurement and cannot be cured by amendment
  - Lack of adequate competition because of defects in RFP and a short response time
  - Lack of funds



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# Cancelling an RFP Cont'd



- Cancellation of RFP is difficult to challenge
  - Matter of CO's discretion
  - Negotiated procurements are not publicly exposed like IFBs
- GAO decision found cancellation justified because agency anticipated “drastic budget cuts” even though it had already notified the protestor that it was the apparent successful offeror



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# Standard Form 30



- FAR 15.201(b) prescribes the use of the SF 30 or OF 309 to amend solicitations of negotiated contracts
- At a minimum, the following information should be included:
  - Name and address of using activity
  - Solicitation number and date
  - Number of pages
  - Description of change(s) being made.
  - Govt POC and phone number
  - Revision to solicitation closing date, if applicable.



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# CONCLUSION



- The aim of the solicitation process is to communicate an agency's needs to prospective offerors in such a manner as to provide for an efficient and fair competition so the Government's needs can be satisfied in a timely fashion at a reasonable cost.



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# SUMMARY



- References
- General Request for Proposal (RFP) information
- Considerations
- Response Time
- SPS Screen Selections
- Conclusion



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***QUESTIONS?***